

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELIDIA M. DUARTE,

Plaintiff,

v.

ANDREW SAUL,

Defendant.

Case No. [20-cv-00151-JCS](#)

**ORDER CONTINUING CASE
MANAGEMENT CONFERENCE AND
SETTING SCHEDULE FOR MOTION
TO DISMISS**

Re: Dkt. No. 18

The Court has reviewed the parties' case management statements. Defendant Andrew Saul, Commissioner of Social Security (the "Commissioner") has not yet responded to Plaintiff Elidia Duarte's complaint and intends to file a motion to dismiss. The initial case management conference set for September 11, 2020 is therefore CONTINUED. Pursuant to Civil Local Rule 16-5, the deadline for the Commissioner to answer or otherwise respond to Duarte's complaint is November 16, 2020. The Court sets the following schedule for the Commissioner's anticipated motion and the initial case management conference:

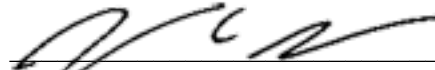
- (1) The Commissioner shall file his motion to dismiss no later than November 16, 2020.
- (2) Duarte shall file her opposition brief no later than November 30, 2020.
- (3) The Commissioner shall file his reply brief no later than December 7, 2020.
- (4) The parties may—but are not required to—file supplemental case management statements no later than December 11, 2020.
- (5) The initial case management conference and the hearing on the Commissioner's motion will occur by videoconference on December 18, 2020 at 9:30 AM.¹

¹ This order supersedes Civil Local Rule 7-2(a)'s default requirement that a motion must be noticed for a hearing "not less than 35 days after filing of the motion."

1 Duarte, who is not represented by counsel, is encouraged to consult with the Federal Pro
2 Bono Project's Pro Se Help Desk for assistance as she continues to prosecute this case. Lawyers
3 at the Help Desk can provide basic assistance to parties representing themselves but cannot
4 provide legal representation. Although in-person appointments are not currently available due to
5 the COVID-19 public health emergency, Duarte may contact the Help Desk at (415) 782-8982 or
6 FedPro@sfbbar.org to schedule a telephonic appointment.

7 **IT IS SO ORDERED.**

8 Dated: September 8, 2020

9 
10 JOSEPH C. SPERO
11 Chief Magistrate Judge